



STATE OF MAINE

## MAINE STATE BOARD OF EDUCATION

Department of Education  
AUGUSTA, MAINE 04333

The State Board of Education held a regular monthly meeting on October 7, 2002, at the Indian Island School, Indian Island, Old Town with the following members present: Chair Jean Gulliver, Vice Chair Philip Dionne, Joyce McPhetres, Wes Bonney, Ken Allen, Jack Norris, and Ellie Multer. Excused: Jim Rier *Note: that this is a nine member board with one vacancy.*

Also present were: J. Duke Albanese, Commissioner; Judith Lucarelli, Deputy Commissioner; Judy Malcolm, Team Leader, Support Systems Subteam; Scott Brown, AIA, School Construction; Janet Tockman; and Rhonda Casey, Clerk.

### **CALLED TO ORDER:**

The meeting was called to order at 1:00 p.m.

### **CONSENT AGENDA:**

RECEIPT OF THE VISITATION TEAM REPORT FOR THE UNIVERSITY OF NEW ENGLAND APPLICATION TO ADD THE DEGREE OF CERTIFICATE OF ADVANCED GRADUATE STUDY IN PUBLIC HEALTH

MOVED by Wes Bonney, seconded by Jack Norris, and voted seven in favor (one member absent and one position vacant) to approve the consent agenda.

### **REGULAR BUSINESS:**

DESIGN AND FUNDING APPROVAL FOR THE CALAIS SCHOOL DEPARTMENT'S MIDDLE SCHOOL CONSTRUCTION PROJECTS

Statement of Fact: The Calais school construction projects received Concept Approval at the February 13, 2002, Maine State Board of Education meeting. The projects were approved in local referendum on May 29, 2002, with a 92% favorable vote. This Design and Funding Approval is being requested pursuant to 20-A M.R.S.A.

The Calais School Department has requested Design and Funding Approval for the Calais Middle School construction projects qualifying under state statute and State Board of Education Rules for School Construction, and it is therefore recommended that the State Board approve the following:

1. That Calais School Department's proposed projects are eligible for school construction aid under Title 20-A M.R.S.A., Chapter 609;
2. That the proposed projects and the authorized method of financing are in the best interest of the State of Maine and the school unit;
3. That the total estimated capital outlay expenditures are reasonable; and
4. That Calais School Department's proposed projects are in compliance with Title 20-A M.R.S.A., Chapter 301, as it relates to the provisions of special education facilities.

Concept Approval Date and Amount: February 13, 2002 \$8,824,585

Design & Funding Approval Date and Amount: October 7, 2002 \$8,824,584

Amount Included in Subsidized Debt Service: \$7,168,211

Revolving Renovation Funds and Local Only Project Funds: \$1,656,373 (\$40,000 Local Only and \$1,616,373 Revolving Renovation Fund)

Increase (Decrease) from Concept Amount: \$0

Recommendation: It is recommended by the Department of Education and supported by the State Board Construction Subcommittee that the State Board of Education grant Design and Funding Approval to the Calais School Department for the Calais Middle School's Major Capital Improvement construction projects.

This approval constitutes design approval. Final funding approval may be subject to adjustment under section 15 of the State Board of Education Rules for School Construction Projects, which states:

*"When it is determined by the Commissioner, following the opening of school construction bids, that there are surplus funds contained in a project budget, the State Board directs the Department of Education (DOE), with the advice of the Bureau of General Services, to initiate a process to lower the approved budget to the appropriate funding level, thus, providing additional funds for other projects awaiting concept approval."*

MOVED by Ellie Multer, seconded by Joyce McPhetres, and voted seven in favor (one member absent and one position vacant) to grant Design and Funding Approval to the Calais School Department for the Calais Middle School's Major Capital Improvement construction projects.

RECEIPT OF THE VISITATION TEAM REPORT FOR THE UNIVERSITY OF NEW ENGLAND APPLICATION TO ADD THE DEGREE OF CERTIFICATE OF ADVANCED GRADUATE STUDY IN PUBLIC HEALTH

Background: 20-A M.R.S.A., Chapter 409 provides that a postsecondary educational institution desiring to confer additional degrees must obtain authorization from the Maine State Board of Education.

Officials of the University of New England School, located in Biddeford, Maine have submitted an application seeking authority to confer an additional degree, the Certificate of Advanced Graduate Study in Public Health.

A Review Team meeting with the applicant was conducted in Augusta on July 9, 2002. Following the meeting a report was prepared which includes findings, commendations, and recommendations as well as a recommendation for State program approval status. The report has been prepared for State Board consideration and action during the November 13, 2002, meeting of the Board.

Recommendation: That the State Board of Education receive for review the report of the University of New England Certificate of Advanced Graduate Study in Public Health program approval visitation team. Consideration of the report will appear as an action agenda item for the November 13, 2002, meeting of the Board.

MOVED by Wes Bonney, seconded by Jack Norris, and voted seven in favor (one member absent and one position vacant) to receive for review the report of the University of New England Certificate of Advanced Graduate Study in Public Health program approval visitation team.

### **NEW BUSINESS:**

#### **CONSIDERATION OF APPROVAL OF AN ALTERNATIVE PLAN FOR MSAD #33 COST SHARING FORMULA**

MOVED by Ellie Multer, seconded by Jack Norris, and voted seven in favor (one member absent and one position vacant) to approve the alternative cost sharing formula for MSAD 33.

### **COMMISSIONER'S REPORT:**

Commissioner Albanese reported on the following:

- That staff from the Department of Education will be meeting with the Appropriations Committee and the Education Committee on Wednesday, October 9 to discuss the Governor's curtailment order. The Department will meet with the Appropriations Committee in the morning and then meet with the Education Committee in the afternoon. Final budget determinations will be announced the following Wednesday.
- Attended a closed session meeting with the U.S. Secretary of Education to discuss troubling issues with states and the NCLB Act. Only a few select people from Maine were allowed to attend. Of the many issues discussed, the one that stands out the most is the issue involving rural states. The NCLB Act does work the same way in small states as it does in large states.

- The Department of Education has been served with a national lawsuit. The Institute of Justice filed is lawsuit and has vowed to take its fight for vouchers to the Supreme Court. This lawsuit is in response to the U.S. Supreme Court ruling to let religious schools be included in Cleveland's voucher program. Two lawsuits cases were filed, one for Cleveland and the other for Maine, but the court did not hear Maine's case, which involves tuition for sectarian schools, in particular parochial schools. It is the belief of the complainants that now that the Supreme Court has issued their ruling in the Cleveland Case that Maine's law is unconstitutional. The Attorney General's staff were part of the first advisory team are confident that they can defend Maine well in this case.
- The Gates Foundation announced they have awarded Maine with a gift of \$10 million to assist in strengthening Maine's high schools and help provide students with skills needed to succeed in college and work.

Ellie suggested that the Department distribute some type of news release informing the public of the repercussions of the Governor's Curtailment Order.

### **CHAIR'S REPORT**

None given.

### **BOARD MEMBER REPORTS:**

Wes Bonney:

- The Task Force on Learning Results is at the point where a draft survey will be mailed out to 6000 people in Maine.

Joyce McPhetres:

- The School Administrative Unit Study Group met Wednesday, October 30 and completed their review all relevant reports and data that the group received. Judy Lucarelli and Suzan Cameron provided the group with a great deal of data, but more data and information is needed. At the next meeting the group will be reviewing demographics.

Jack Norris:

- Bill Primmerman's committee involving the Coordinated School Heath Program has asked me to present to the Board a letter of support from the Board to the Department. This group is reapplying for a five-year grant to continue the Coordinated School Health Program. A meeting was held last Monday and they are seeking various organizations to endorse their proposal.

Phil Dionne:

- The School to Work Subcommittee presented its annual report to the Maine Jobs Council. The report reiterated the importance of career preparation and economic development education training. The Maine Jobs Council also heard reports from the technical centers on the community college system proposal. The report highlighted that the technical colleges would like to change their names to reflect a community college and at the same time expand their Associates Degree in liberal arts. The technical colleges are making an aggressive campaign with then intention is to increase the enrollment by 4,000 students in the next two to three years. Most people are not aware that the technical colleges can provide a liberal arts degree for approximately one half the cost of the regular colleges and this degree is completely transferable to a baccalaureate degree in the University of Maine System. In order for the technical colleges to add an associates degree it is necessary for the technical colleges to lose some of their training programs.

**ADJOURNMENT:**

State Board of Education unanimously agreed to adjourn the Thursday, September 6, 2001, meeting at 3:00 p.m.